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In re Application of :
Holt et al. :
Application No. 09/649,436 : ON PETITION
Filed: August 25, 2000 :
Attorney Docket No. 15777.1.2.2 :
:

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed July 28, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an Appeal Brief, previously submitted on January 23, 2006; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the response has been accepted as having been unintentionally delayed.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1080.00 extension of time fee submitted with the petition on July 28, 2006, was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's credit card.

This matter is being referred to Technology Center 2100 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3206.

Liana Walsh
Petitions Examiner
Office of Petitions